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FILED

MAY 16 2006

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR. S-04-0440 EJG
)	
Plaintiff,)	
)	
v.)	STIPULATION AND ORDER RE ADDENDUM
)	TO PRESENTENCE REPORT AND
)	RECOMMENDATION REGARDING DRUG
CHARLES THOMPSON,)	TREATMENT PROGRAM
)	
Defendant.)	
)	Judge: Hon. Edward J. Garcia
)	

It is hereby stipulated and agreed between plaintiff, United States of America, and defendant, Charles Thompson, that the information noted below be forwarded to the Bureau of Prisons as an addendum to the presentence report concerning Mr. Thompson. The parties further agree that the Court may recommend that Mr. Thompson be placed in the Bureau's 500-hour in-custody drug treatment program (known as RDAP).

Mr. Thompson's presentence report noted his extensive drug abuse history although it also noted that he had not used illegal drugs for several years prior to sentencing. After Mr. Thompson was transferred to

1 the federal prison at Terminal Island he told the prison psychologist
2 that he continued to drink alcohol through early 2004; she urged him to
3 seek an addendum to his presentence report and recommendation to
4 participate in the Bureau's 500-hour RDAP program. Mr. Thompson had
5 reported his continued alcohol use on his PSR worksheet, but the final
6 PSR inaccurately reported he had been "sober" as well as free from
7 illegal drugs. In fact, Mr. Thompson continued to drink alcohol daily
8 through January 2004. Under the circumstances, the parties agree that
9 this information may be sent to BOP as an addendum, along with a
10 recommendation for RDAP placement.

11 Respectfully submitted,

12 DANIEL J. BRODERICK
13 Acting Federal Public Defender

14 Dated: May 8, 2006

15 /s/ T. Zindel
16 TIMOTHY ZINDEL
17 Assistant Federal Defender
18 Attorney for CHARLES THOMPSON

17 MCGREGOR SCOTT
18 United States Attorney

19 Dated: May 8, 2006

20 /s/ T. Zindel for R. Bender
21 RICHARD J. BENDER
22 Assistant U.S. Attorney
23 Attorney for Plaintiff

24 O R D E R

25 Defendant has asked the Court to note as an addendum to the
26 presentence report his continued use of alcohol through January 2004.
27 Although defendant reported his drinking in the worksheet he completed in
28 connection with his presentence interview, information regarding his
alcohol use was omitted from the final report. However, his use of
alcohol through January 2004 was reported and should have been noted.

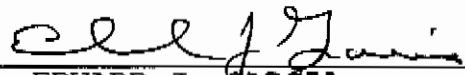
1 Based on the above, the Court recommends that the Bureau place Mr.
2 Thompson in the RDAP program, should it determine that he meets other
3 conditions to participation in that program.

4 A copy of this Order shall be served on the Bureau of Prisons and
5 forwarded to:

6 Atten: Dr. Schoellkopf
7 FCI Terminal Island
8 1299 Seaside Avenue
Terminal Island, CA 90731

9 IT IS SO ORDERED.

10
11 Dated: May 12, 2006


HON. EDWARD J. GARCIA
United States District Judge